

PATENT

Attorney Docket No.: 2500 DIV 2 CON 2 DIV 3 CON 7

(203-3515 DIV 2 CON 2 DIV 3 CON 7)

<u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

Applicant(s):

Peter M. Bonutti

Examiner: Michael H. Thaler

Serial No.:

10/743,192

Group Art Unit: 3731

Filed:

December 22, 2003

Dated: March 21, 2005

For:

FLUID OPERATED RETRACTORS

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO/SB/08A is brought to the attention of the Examiner. A copy of the previously uncited patent document, FR-2,639,823 is enclosed for the Examiner's reference.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art.

The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 21, 2005.

Dated: March 21, 2005

Jennifer Pluente

these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- [] This information disclosure statement is being filed within three (3) months of the filing date of this application.
- [] This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- [] To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- [] Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- [] Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).
 - [] Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
 - [] Please charge the \$130.00 petition fee to Deposit Account No. **21-0550**.
- [] Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- [X] Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.

[X] Please charge any deficiency as well as any other fee(s) which

may become due under 37 C.F.R. §1.16 and/or 1.17 at any time

during the pendency of this application, or credit any overpayment

of such fee(s) to Deposit Account 21-0550. Also, in the event any

extensions of time for responding are required for the pending

application(s), please treat this paper as a petition to extend the

time as required and charge Deposit Account No. <u>21-0550</u> therefor.

The claims of the application as now presented are believed to patentably

distinguish over the prior art and to be in condition for allowance. Early and favorable

consideration of the case is respectfully requested.

Respectfully submitted,

Dana A. Brussel, Esq.

Reg. No.: 45,717

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/743,192		
Filing Date	December 22, 2003		
First Named Inventor	Peter M. Bonutti		
Art Unit	3731		
Examiner Name	Michael H. Thaler		
Attorney Docket Number	2500 DIV 2 CON 2 DIV 3 CON 7 (203-3515 DIV 2 CON 2 DIV 3 CON 7)		

Examiner	Cito	Document Number	U. S. PATENT DO	Name of Patentee or	Pages, Columns, Lines, Where
Examiner Cite No.1	No.1	Number-Kind Code ^{2 (If known)}	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
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	, 10,	Country Code ³ Number ⁴ Kind Code ⁵ (If known)	MM-DD-YYYY		Or Relevant Figures Appear	1
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Examiner	Date	
Signature	Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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